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2004 OCT 14 P 2:48
UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
Plaintiff)

v.)

LOI VAN NGUYEN)
Defendant)

U.S. DISTRICT COURT
DISTRICT OF MASS.

CRIMINAL COMPLAINT
CASE NO. 04-10086-RCL

ASSENTED TO MOTION TO CONTINUE
DATE FOR CHANGE OF PLEA AND SENTENCING

NOW COMES the Defendant, Loi Van Nguyen, by and through undersigned Counsel, and respectfully requests an order of this Honorable Court continuing the Change of Plea and Sentencing Hearing date in the above-captioned action, currently scheduled for Monday, October 18, 2004 at 2:00 p.m. to Tuesday, November 16, 2004 or a date thereafter and as reasons therefore states as follows:

1. The Defendant has entered into a Plea Agreement with the government, dated March 23, 2004. The Plea Agreement in the above-captioned matter, calls for a potential downward departure pursuant to U.S.S.G. § 5K 1.1, however the government needs additional time to review the matter to determine whether such motion will be filed.

2. The additional time will allow the government an opportunity to review this matter and allow both parties to prepare for the Sentencing Hearing in this matter.

3. In addition, while incarcerated, the Defendant has been advised that he suffers from a medical condition, which may warrant a recommendation to a medical

facility at the time of sentencing. The Defendant requests time to acquire and submit medical documentation in support of a recommendation for a medical facility at the time of sentencing.

4. The Defendant agrees that the time should be excluded under the Speedy Trial Act pursuant to 18 U.S.C § 3161(h)(8).

5. Counsel for the government, Assistant United States Attorney Laura J. Kaplan, assents to the within motion.

WHEREFORE, the Defendant requests that this Honorable Court allow this Assented to Motion to Continue.

Respectfully submitted

Loi Van Ngyuen

By His Attorney,



Raymond Sayeg, BBO #555437
Law Offices of Raymond Sayeg
Four Longfellow Place, 35th Floor
Boston, MA 02114
(617) 742-1184

Dated: October 14, 2004

Assented to:

United States of America

By Its Attorney



Laura J. Kaplan,
Assistant United States Attorney
U.S. Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210
(617)748-3124

CERTIFICATE OF SERVICE

I, Raymond Sayeg, hereby certify that a true and exact copy of the foregoing Assented to Motion to Continue Date for Change of Plea and Sentencing was served this 14 day of October, 2004, by first class mail upon United States District Attorney, Laura J. Kaplan, U.S. Attorney's Office, 1 Courthouse Way, Suite 9200, Boston, MA 02210.



Raymond Sayeg